

**IN THE CLAIMS**

This listing of claims replaces all prior listings:

1-10. (Cancelled)

11. (Currently Amended) A battery, comprising:

a battery element including a cathode, an anode, and an electrolyte; and

a film-shaped case accommodating said battery element including a) a sealing portion disposed in a edge portion of the case and having a width of ~~about~~ 1 mm to ~~about~~ [[3]] 5 mm, b) a metal layer, c) a first resin layer disposed on the side of the metal layer closest to the battery element with a thermoplastic layer in between the metal layer and the first resin layer, and d) a second resin layer disposed on the side of the metal layer farthest from the battery element with an adhesive layer in between the metal layer and the second resin layer.

wherein,

the thermoplastic layer has a width of 50  $\mu$ m or less.

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12. (Original) A battery according to claim 11, wherein the thermoplastic layer includes a modified polyolefin resin.

13. (Original) A battery according to claim 12, wherein the thermoplastic layer includes at least one kind selected from the group consisting of modified polypropylene having a carbonyl group and modified polyethylene having a carbonyl group.

14. (Original) A battery according to claim 11, wherein the electrolyte includes a gel electrolyte or a solid electrolyte.

15. (Original) A battery according to claim 11, wherein the anode includes an anode material capable of inserting and extracting lithium (Li).

16. (Original) A battery according to claim 15, wherein the anode includes a carbon material.

17. (Original) A battery according to claim 11, wherein the cathode includes a cathode material capable of inserting and extracting lithium (Li).

18. (Original) A battery according to claim 17, wherein the cathode includes a complex oxide of lithium and a transition metal.

19. (New) A battery according to claim 11, wherein the sealing portion disposed in the edge portion of the case has a width of 1 mm to less than 3 mm.